

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

In re: \*

DELPHI CORPORATION, *et al.*, \* Case Nos. 05-12685 *et al.*  
(Jointly Administered)  
Debtors. \* Chapter 11

\* \* \* \* \*

**AFFIDAVIT OF SERVICE**

STATE OF MARYLAND )  
) ss:  
COUNTY OF BALTIMORE )

Maria Ellena Chavez-Ruark, being duly sworn, deposes and says:

1. I am not a party to these proceedings, over eighteen years of age and employed by DLA Piper Rudnick Gray Cary US LLP, 6225 Smith Avenue, Baltimore, Maryland 21209-3600.

2. On the 24<sup>th</sup> day of October, 2005, I caused to be served true copies of the Response of Constellation NewEnergy, Inc. to Motion for Final Order Under 11 U.S.C. §§ 105, 366, 503 and 507 (I) Prohibiting Utilities from Altering, Refusing or Discontinuing Services on Account of Prepetition Invoices and (II) Establishing Procedures for Determining Requests for Additional Assurance by facsimile and first class mail, postage pre-paid, on all parties on the attached service list.

Dated: New York, New York  
October 24, 2005

DLA PIPER RUDNICK GRAY CARY US LLP

By: /s/ Maria Ellena Chavez-Ruark  
Maria Ellena Chavez-Ruark, Esquire  
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Attorneys for Constellation NewEnergy, Inc.

Sworn to before me this 24<sup>th</sup> day of October, 2005

/s/ Lauren L. Gern  
Notary Public  
My Commission Expires: 4/1/08

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